

Application Serial No: 10/815,151  
Responsive to the Office Action mailed on: August 23, 2007

### REMARKS

This Amendment is in response to the final Office Action mailed on August 23, 2007. Claims 1 and 30 are amended. Claim 1 is amended editorially and is supported, for example, in the specification on page 6, line 12-page 7, line 1. Claim 30 is amended editorially. No new matter is added. Claims 1-5 and 30 are pending.

#### §112, Second Paragraph:

Claim 30 is rejected as being indefinite. Claim 30 is amended editorially to provide antecedent basis for the "horizontal direction" and the "vertical direction". Withdrawal of this rejection is requested.

#### Prior Art Rejections:

Claims 1-5 are rejected as being anticipated by or unpatentable over Hobson (US Patent No. 5,445,906). This rejection is traversed.

Claim 1 is directed to an energy device comprising a winding body in which a band-shaped laminate having a flexible elongated substrate, a negative collector, a solid electrolyte, a positive active material, and a positive collector in this order is wound in a plate shape with the flexible elongated substrate placed inside. Claim 1 also requires that a cross-sectional shape of the winding body perpendicular to a winding axis includes portions at opposing ends of the cross-sectional shape with small radiuses of curvature and portions between the opposing ends of the cross-sectional shape with large radiuses of curvature. An advantage of these features is that a short-circuit between the layers caused by a stress-induced layer crack can be prevented as the negative layer is located at an inner position with respect to the positive layer (see page 6, line 12-page 7, line 1).

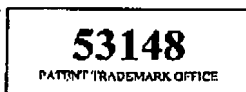
Hobson does not teach or suggest these features. Hobson is directed to a thin-film battery. The rejection asserts that the thin-film battery includes a substrate, a positive layer, a solid electrolyte and a negative layer wound in a manner such that the substrate is placed on an inner side. Also, the layers of the thin-film battery are wound in a cylindrical shape such that a cross-sectional shape of the battery perpendicular to the winding axis is a circle (see Figure 5). The rejection attempts to define the cylindrical shape of Hobson's thin-film battery as a plate. The rejection uses as its support a definition of a plate that states that a "plate is a shallow, usually circular dish; a thin, flat

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sheet or piece of metal or other material, esp. of uniform thickness." The cylindrically shaped thin-film battery of Hobson is not wound in a shallow, usually circular dish. Nor is the thin-film battery of Hobson a thin, flat sheet. While a cross-sectional shape perpendicular to the winding axis of Hobson's thin-film battery is circular, it does not follow that Hobson's thin-film battery is a plate, even under the definition provided in the rejection. Also, nowhere does Hobson teach or suggest placing the substrate next to the negative layer as required by claim 1. Furthermore, nowhere does Hobson teach or suggest that a cross-sectional shape of the winding body perpendicular to a winding axis includes portions at opposing ends of the cross-sectional shape with small radiuses of curvature and portions between the opposing ends of the cross-sectional shape with large radiuses of curvature. Moreover, as Hobson is not wound in a plate shape like that of claim 1, Hobson does not contemplate reducing the likelihood stress-induced layer crack and accordingly a short-circuit. Yamamura (US Patent No. 4,658,498), if applied, does not overcome these deficiencies. For at least these reasons claim 1 is not suggested by Hobson. Claims 2-5 depend from claim 1 and should be allowed for at least the same reasons.

Conclusion:

Applicants respectfully assert that claims 1-5 and 30 are now in condition for allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.



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Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &  
LARSON, P.C.  
P.O. Box 2902-0902  
Minneapolis, MN 55402-0902  
(612) 455-3800

By: 

Douglas P. Mueller  
Reg. No. 30,300  
DPM/ahk